

RECEIVED  
CENTRAL FAX CENTER

NOV 22 2004

Docket No.: 30217-234

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
WARREN, RICHARD H. : Confirmation Number: 1325  
Application No.: 09/216,036 : Group Art Unit: 2686  
Filed: December 18, 1998 : Examiner: N. Mehrpour

For: METHOD AND SYSTEM FOR PREVENTING SUN TRANSIT OUTAGES IN POINT-  
TO-MULTIPOINT SATELLITE SYSTEMS

**INFORMATION DISCLOSURE STATEMENT**

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office  
on the date shown below.

Lawrence T. Cullen

Type or print name of person signing certification

Signature Date 11/22/04

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

In accordance with 37 CFR 1.17(p), please charge the fee of \$180.00 to Deposit Account No. 500417.

**09/216,036**

The Examiner's attention is directed to co-pending U.S. Patent Application Serial No. 08/988,989, filed December 11, 1997, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination. The references cited in the attached PTO-1449 were cited in this related application, hence copies thereof have not been provided. The Examiner is requested to contact the undersigned if copies of the cited references cannot be reasonably obtained.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Lawrence T. Cullen  
Registration No. 44,489

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 LTC:aph  
Facsimile: 202.756.8087  
Date: November 22, 2004

Please recognize our Customer No. 20277  
as our correspondence address.

